

REMARKS

Claims 2-14 were rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 3,951,490 (Devendorf). The examiner stated that “Devendorf [discloses] first enclosure portion (10) having a wall portion forming a recess, second enclosure portion (20) to shield electromagnetic wave (col. 4, lines 37-40), a connector (40) of a circuit board (30), a projection (11) having an apertures.”

In the first Office Action, no search was made by the examiner and no art was applied against the claims. Rather, the claims were rejected under 35 U.S.C. 112. As such, the claimed invention was not “thoroughly searched in the first action and the references fully applied.” MPEP §706.07. Therefore, it is respectfully submitted that the final rejection was premature. It should, therefore, be withdrawn. MPEP §§ 706.07(a); 706.07(d).

The technical problem addressed by Devendorf, that is, its subject, is that the “mechanical coupling of the center conductor cable to the circuit board frequently resulted in destructive mechanical forces being applied to the circuit board.” (col. 1, lines 14-17). This technical problem is solved by providing a center conductor seizure apparatus 40 to which a main cable is coupled via a corresponding port 11. A description of the center conductor seizure apparatus 40 is given at, for example, col. 3, lines 23-43. It is clear that a snap connector 41 is releasably located in an aperture 51. The snap connector 41 engages a projection 44 of a conducting terminal 42 of the conductor seizure apparatus. The conducting terminal 42 contains apertures 43, and the conducting terminal is located within an insulating housing 45. The insulating housing 45 is adapted to be placed into a region surrounded by projections 18 from the base 10.

Furthermore, Figure 6 illustrates an assembled center conductor seizure apparatus 40. It is clear that the assembled center conductor seizure apparatus comprises only the conducting terminal 42, its projection 44, the plurality of apertures 43, and the insulating housing 45. It is noted that

Figure 6 does not describe the snap connector 41 as part of the center conductor seizure apparatus 40.

It is well established that the terms used within the claims of a patent application must be construed in context and that it is impermissible to construe terms in isolation, that is, without due regard for the context. Claim 11 makes reference to “a connector”, which the examiner considers to be equivalent to the center conductor seizure apparatus 40. Claim 11 requires more than a mere connector; it is clear that a particular connector must be provided. The “connector” of the claimed invention must be a “connector of the circuit board.” It can be appreciated from the specific description of the claimed invention that the “connector” is a projection or extension of the circuit board.

The center conductor seizure apparatus 40 is not in direct physical contact with the circuit board 30 since that assembly is coupled, in a releasable manner, that is, in a snap fit manner, to the circuit board 30 via the snap connector 41. The use of such a snap fit connector “permits an electronic circuit, coupled electrically to a cable center conductor, to be removed without uncoupling the center conductor.” (col. 1, lines 39-42). Therefore, in light of the proper construction of “a connector of the circuit board” that Devendorf, while disclosing a connector, does not disclose a connector of a circuit board.

Still further, claim 11 is qualified by the “second enclosure portion joined to the first enclosure portion” in such a manner “to form a chamber to house a connector of the circuit board in the recess.” While the housing 10 of Devendorf is arranged to house the electrical components, that is, the terminals 31, the circuit board 30 and the center conductor seizure apparatus 40, the chamber does not house a “connector of the circuit board”, when the phrase is giving its proper construction within the context of the claimed invention. In this regard, independent claim 11 has also been amended to read “first enclosure portion having a side wall forming a recess.”

The examiner also stated that Devendorf discloses a “second enclosure portion (20) to shield electromagnetic wave (col. 4, lines 37-40).” However, the cited section of Devendorf makes reference to “positioning a metal mesh gasket in an inner one of ridges 19” (col. 4, lines 40-41). The metal mesh gasket is used to provide an electromagnetic seal between the two portions of the substation, that is, the housing 10 and the base 20. The cited section does not disclose the first enclosure portion and the second enclosure portion forming a chamber to house the connector of the circuit board in a recess in such a way as to suppress the emission of unwanted radiation. The cited section merely refers to providing a gasket to prevent leakage from any gaps between the two parts of the substation.

Therefore, it can be appreciated that claim 11 as well as claim 14 are patentable over the cited prior art. Hence, the examiner is respectfully requested to reconsider his assessment.

The examiner claims that Devendorf is also relevant to claim 3. Devendorf, however, does not disclose an “electromagnetic radiation absorbent material.” The substation of Devendorf comprises an electrically conductive housing. See, e.g., col. 4, lines 59-60 and, by implication, the use of the insulating housing 45 to prevent the center cable from being in electrical contact with the electrically conductive housing. Hence, claim 3 is patentable over Devendorf.

The projection of claim 5 comprises a plurality of apertures whereas the ports 11 of Devendorf only comprise a single aperture. Also, since the ports 11 are arranged to receive a coaxial cable, they would never comprise a number of apertures. Thus, claim 5 is also not anticipated by Devendorf.

The examiner stated that Devendorf discloses a solder tab as called for by claim 8. However, it can be appreciated from the above that an object of Devendorf is to allow the circuit board 30 to be decoupled from the center cable using a snap fit arrangement, which is inconsistent with using a solder tab. Furthermore, the snap connector 41 does not form part of the connector that receives the

cable, unlike the connector of the present invention. The connector in Devendorf is received by the seizure assembly 40, not the snap connector.

Claim 10 recites that the “electronic device is an intruder device for radiating electromagnetic radiation of a selectable frequency.” Clearly, an intruder device is positively claimed, and Devendorf does not disclose such a device.

Referring to claims 12 and 13, it can be appreciated that both indicate that the first portion is a “frame.” It can be appreciated that the first portion of the present invention is a frame similar to a conventional picture frame, that is, it has edges and an open aspect; it is substantially frame-like. It cannot be said that the substation is even remotely frame-like.

Additionally, it is clear that the present invention, as called for by claim 11, is directed to “[an] enclosure for an electronic device.” The “electronic device” is configured to intentionally radiate radiation. One skilled in the art would appreciate, given the degree of electromagnetic sealing of the substation and the fact that the housing and base are conductive, that the emissions from the circuit board are completely screened. Therefore, the substation of Devendorf is not an electronic device that is an intentional radiator of electromagnetic radiation wherein the enclosure allows selected emissions but suppresses other unwanted emissions.

It can be appreciated that the remaining claims are dependent on a novel and inventive independent claim. Therefore, they are also novel and inventive.

In view of the foregoing, it is respectfully submitted that all the claims are now in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

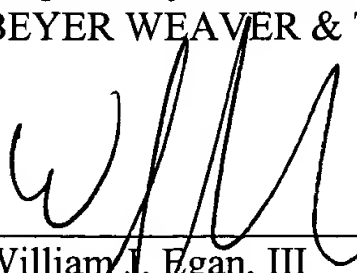
If prosecution of this application can be assisted by telephone, the Examiner is requested to call Applicants’ undersigned attorney at (510) 267-4160.

Please apply any other charges or credits to Deposit Account No. 500388.

Respectfully submitted,
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1/19/05



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